

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

June 10, 2004

Mr. John Diehl
Environmental Consultants and Contractors, Inc.
43045 John Mosby Highway
Chantilly, Virginia 20152

Re: Waterside Conservation LLC, Waterford Cove
Alternate Storm Drain Outfall

Dear Mr. Diehl:

Thank you for the information you provided to our office concerning the above-referenced project. I have reviewed the materials and determined that I will need additional information before I can make a determination that this project on Federal lands is consistent with the Maryland Critical Area Law and Criteria in the Code of Maryland Regulations. I have outlined the additional items required for review below:

These figures can be reported in square feet or acreage:

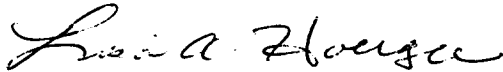
1. Area disturbed, graded, and cleared both inside and outside the 100-foot or expanded Buffer inside the Critical Area.
2. Nontidal wetlands disturbed.
3. Documentation as to whether the site supports any threatened or endangered species habitat. Absent other sources, the Maryland Department of Natural Resources, Heritage and Biodiversity Division typically provides this documentation. The contact at that office is Ms. Lori Byrne and her telephone number is (410) 260-8573.

A site visit may be required, but I will make that determination once I have received and reviewed the material requested above.

Mr. Diehl
June 10, 2004
Page Two

Thank you for your cooperation. If you have any questions, please telephone me at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa A. Hoerger".

Lisa A. Hoerger
Natural Resources Planner

cc: Ms. Gayle Hazelwood, NPS
Mr. Richard Thompson, PG DER
Mr. Jim Stasz, MNCPPC
NPS 22-04

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

July 20, 2004

Ms. Gayle Hazelwood
Acting Superintendent
National Park Service
United States Department of the Interior
1900 Anacostia Drive, S.E.
Washington, D.C. 20020

Re: "Waterford Cove" Proposed Stormwater Easement Exchange
Piscataway Park, National Park Service

Dear Ms. Hazelwood:

At your request, and as required to ensure consistency with Maryland's Critical Area Law, this office has been coordinating with the consultant for the Peterson Companies and various Prince George's County reviewers concerning the above-referenced project on Federal lands. It is our understanding that the easement will be solely for the purposes of placing a stormwater pipe and outfall. The installation of the pipe and outfall should not create the need for clearing and should only result in temporary disturbance to an abandoned road.

This office received comments from the Maryland Department of Natural Resources (DNR) indicating the presence of two rare plant species; however, the Prince George's County reviewers assured us that these plant habitats would not be impacted. The other sensitive species indicated in the DNR letter was the possible presence of Forest Interior Dwelling Birds (FIDs) on this site. Since the site likely supports these species given the amount of contiguous forest cover and proximity to the riparian zone, any development activities associated with the installation of the pipe and outfall should occur outside the breeding season. Therefore, any activities should not occur between April – August. If any canopy is removed as a result of placement for the pipe and the outfall, then FID mitigation may be required. If no canopy loss occurs, mitigation for compliance with Maryland's Critical Area Law is not required for this project.

Ms. Hazelwood
July 20, 2004
Page Two

In the meantime, I have spoken with Mr. John Diehl of ECC, Inc. and he has assured me that our office will receive a copy of the final Environmental Impact Statement for this project so that we will have an opportunity to provide further comments, if necessary.

Thank you for coordinating with us on this project. If you have any questions, please telephone me at (410) 260-3478.

Sincerely,



Lisa A. Hoerger
Natural Resources Planner

cc: Mr. Jim Rosenstock, NPS
Mr. Elder Ghigiarelli, MDE
Mr. Richard Thompson, PG DER
Mr. Jim Stasz, MNCPPC
~~Mr. John Diehl, ECC, Inc.~~
NPS File